

Attorney Docket No. P64765US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: KASK et al.

Application No.: 09/779,461

Art Unit: 2878

Filed: February 9, 2001

Examiner: Shun K. LEE

For: Fluorescence Intensity Multiple Distributions Analysis: Concurrent Determination of Diffusion Times and Molecular Brightness

**AMENDMENT OF INVENTORSHIP AND TRANSMITTAL
UNDER 35 USC 116 [37 CFR 1.48]**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Amend the subject application by naming only the actual inventors as follows:

- Pete Kask - Karsten Gall - Stefan Jäger
- Ülo Mets - Kaupo Palo

Attached hereto are:

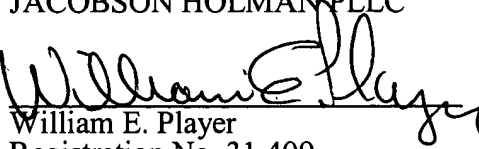
- request to correct inventorship, in accordance with 37 CFR 1.48(a)(1).
- statement of each inventor being added, in accordance with 37 CFR 1.48(a)(2).
- declaration of the actual inventors, in accordance with 37 CFR 1.48(a)(3).
- processing fee, in accordance with 37 CFR 1.48(a)(4).
- consent of the assignee, in accordance with 37 CFR 1.48(a)(5).

Charge any necessary unpaid fee, or credit overpayment, to Deposit Account No. 06-1358.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By


William E. Player
Registration No. 31,409

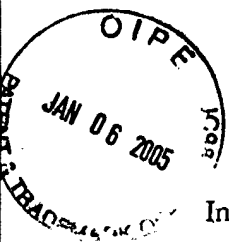
400 Seventh Street, N.W.
Washington, D.C. 20004
Tel.: (202) 638-6666
Fax: (202) 393-5350
Date: January 6, 2005
WEP/bad

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01/07/2005 RADOFO1 00000045 09779461

02 FC:1464

130.00 DP



Attorney Docket No. P64765US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peet KASK

Group Art Unit: 2878

Serial No.: 09/779,461

Examiner: S. Lee

Filed: February 9, 2001

For: FLUORESCENCE INTENSITY MULTIPLE DISTRIBUTION ANALYSIS:
CONCURRENT DETERMINATION OF DIFFUSION TIMES AND MOLECULAR
BRIGHTNESS

STATEMENT UNDER 37 CFR 1.48(a)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Stefan Jäger, a citizen of Germany, states that the error in inventorship of the subject application occurred without deceptive intention on his part.

28. Dec. 2004
Date

Stefan Jäger
Stefan Jäger

WEP/bad
R:\rthomas\2004\OCTOBER\P64765US1 R48jager.wpd

Attorney Docket No. P64765US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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BRIGHTNESS

STATEMENT UNDER 37 CFR 1.48(a)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Kaupo Palo, a citizen of Estonia, states that the error in inventorship of the subject application occurred without deceptive intention on his part.

20-oct-2004

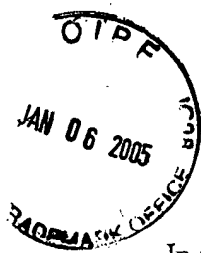
Date

K Palo

Kaupo Palo

WEP/bad

R:\rthomas\2004\OCTOBER\P64765US1 R48Palo.wpd



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peet KASK

Group Art Unit: 2878

Serial No.: 09/779,461

Examiner: S. Lee

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BRIGHTNESS

STATEMENT UNDER 37 CFR 1.48(a)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Karsten Gall, a citizen of Germany, states that the error in inventorship of the subject application occurred without deceptive intention on his part.

02. 11. 2004
Date

K. Gall
Karsten Gall

WEP/bad
R:\rthomas\2004\OCTOBER\p64765US1 R48gall.wpd



Attorney Docket No. P64765US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peet KASK

Group Art Unit: 2878

Serial No.: 09/779,461

Examiner: S. Lee

Filed: February 9, 2001

For: FLUORESCENCE INTENSITY MULTIPLE DISTRIBUTION ANALYSIS:
CONCURRENT DETERMINATION OF DIFFUSION TIMES AND MOLECULAR
BRIGHTNESS

STATEMENT UNDER 37 CFR 1.48(a)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Ülo Mets, a citizen of Estonia, states that the error in inventorship of the subject application occurred without deceptive intention on his part.

5. Nov. 2004
Date

Ülo Mets
Ülo Mets

WEP/bad
R:\Arthomas\2004\OCTOBER\P64765US1 R48mets.wpd



Attorney Docket No. P64765US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peet KASK

Group Art Unit: 2878

Serial No.: 09/779,461

Examiner: S. Lee

Filed: February 9, 2001

For: FLUORESCENCE INTENSITY MULTIPLE DISTRIBUTION ANALYSIS:
CONCURRENT DETERMINATION OF DIFFUSION TIMES AND MOLECULAR
BRIGHTNESS

CONSENT OF ASSIGNEE UNDER 37 CFR 1.48(a)(5)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Evotec OAI AG, a corporation of Germany, assignee of the subject application pursuant to documents recorded June 9, 2004, in the PTO at Reel 15081, Frames 946-53, consents in accordance with 37 CFR 1.48(a)(5) to the change of inventorship reflected in the petition under 37 CFR 1.48(a)(1) filed herewith.

October 20, 2004

Date

By: ppa. Dr. Martina Leimbühler (signature)

DR. MARTINA LEIMBUHLER (name)

HEAD OF IP (title)

DECLARATION
AND POWER OF ATTORNEY
U.S.A.ALL PATENTS, INCLUDING DESIGN
FOR APPLICATION BASED ON PCT, PARIS CONVENTION;
NON PRIORITY; OR PROVISIONAL APPLICATIONS

FOR ATTORNEYS' USE ONLY

ATTORNEYS' DOCKET NO.:

P64765US1

As a below named inventor, I declare that my residence, post office address and citizenship are stated below next to my name, the information given herein is true, that I believe that I am the original first and sole inventor (if only one name is listed at 201 below), or an original, first and joint inventor (if plural inventors are named below at 201-203, or on additional sheets attached hereto) of the subject matter which is claimed and for which patent is sought on the invention entitled:

FLUORESCENCE INTENSITY MULTIPLE DISTRIBUTIONS ANALYSIS: CONCURRENT DETERMINATION OF DIFFUSION TIMES AND MOLECULAR BRIGHTNESS

which is described and claimed in:

☐ PCT International Application No.

filed

☐ the attached specification☒ the specification in application Serial No. 09/779,461

filed February 9, 2001

(if applicable) and amended on

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number) (Country) (Day/Month/Year Filed)

☐ Yes ☐ No

(Number) (Country) (Day/Month/Year Filed)

☐ Yes ☐ No

(Number) (Country) (Day/Month/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Application No. Filing Date Application No. Filing Date

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys (Registration No.) to prosecute this application, receive and act on instructions from my agent, and transact all business in the Patent and Trademark Office connected therewith. HARVEY B. JACOBSON, JR. (20,851); JOHN CLARKE HOLMAN (22,769); MARVIN R. STERN (20,640); ALLEN S. MELSER (27,215); MICHAEL R. SLOBASKY (26,421); JONATHAN L. SCHERER (29,851); IRWIN M. AISENBERG (18,007); WILLIAM E. PLAYER (31,409); YOON S. HAM (45,307) and NATHANIEL A. HUMPHRIES (22,772)

SEND CORRESPONDENCE TO: CUSTOMER NO. 00138

JACOBSON HOLMAN
PROFESSIONAL LIMITED LIABILITY COMPANY
400 SEVENTH STREET, N.W.
WASHINGTON, D.C. 20004

DIRECT TELEPHONE CALLS TO:

(please use Attorneys' Docket No.) (202) 838-8668

JACOBSON HOLMAN
PROFESSIONAL LIMITED LIABILITY COMPANY

*Inventor(s) name must include at least one unabbreviated first or middle name.

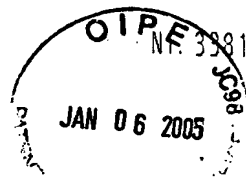
	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
201	RESIDENCE & CITIZENSHIP	CITY Harjumaa	STATE OR FOREIGN COUNTRY ESTONIA	COUNTRY OF CITIZENSHIP Estonia
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Tooma Tee 15 Tabasalu Harku vald	CITY Tabasalu Harku vald Harjumaa	STATE OR COUNTRY ESTONIA
			ZIP CODE 76901	
202	RESIDENCE & CITIZENSHIP	CITY Hamburg	STATE OR FOREIGN COUNTRY GERMANY	COUNTRY OF CITIZENSHIP Germany
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Nissenstraße 14	CITY Hamburg	STATE OR COUNTRY Germany
			ZIP CODE 20251	
203	RESIDENCE & CITIZENSHIP	CITY Haabneeme	STATE OR FOREIGN COUNTRY ESTONIA	COUNTRY OF CITIZENSHIP Estonia
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Õuna tee 2	CITY Haabneeme	STATE OR COUNTRY Estonia
			ZIP CODE 74001	

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201*	SIGNATURE OF INVENTOR 202*	SIGNATURE OF INVENTOR 203*
<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>
DATE December 22, 2004	DATE	DATE December 27, 2004

☐ Additional inventors are named on separately numbered sheets attached hereto.

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JACOBSON HOLMAN PLLC
ADDITIONAL INVENTORS

Inventor(s) name must include at least one unabbreviated first or middle name.

204	FULL NAME * OF INVENTOR	FAMILY NAME Mets	GIVEN NAME Dio	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Tallinn	STATE OR FOREIGN COUNTRY ESTONIA	COUNTRY OF CITIZENSHIP Estonian
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Olamäe tee 89-19	CITY Tallinn	STATE OR COUNTRY Estonia
205	FULL NAME * OF INVENTOR	FAMILY NAME Gall	GIVEN NAME Karsten	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Lunestedt	STATE OR FOREIGN COUNTRY GERMANY	COUNTRY OF CITIZENSHIP Germany
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Schulstraße 23	CITY Lunestedt	STATE OR COUNTRY Germany
206	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY
207	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY
208	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY
209	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY

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SIGNATURE OF INVENTOR 204*	SIGNATURE OF INVENTOR 205*	SIGNATURE OF INVENTOR 206*
DATE December 22, 2004	DATE	DATE
SIGNATURE OF INVENTOR 207*	SIGNATURE OF INVENTOR 208	SIGNATURE OF INVENTOR 209*
DATE	DATE	DATE

Additional inventors are named on separately numbered sheets attached hereto.

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ALL PATENTS, INCLUDING DESIGN
FOR APPLICATION BASED ON PCT; PARIS CONVENTION;
NON PRIORITY; OR PROVISIONAL APPLICATIONS

DECLARATION
AND POWER OF ATTORNEY
U.S.A.

FOR ATTORNEYS' USE ONLY
ATTORNEYS' DOCKET NO. *

P64765US1

JAN 06 2005

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FLUORESCENCE INTENSITY MULTIPLE DISTRIBUTIONS ANALYSIS: CONCURRENT DETERMINATION OF DIFFUSION TIMES AND MOLECULAR BRIGHTNESS

which is described and claimed in:

☐ PCT International Application No. _____

filed _____

☐ the attached specification

☒ the specification in application Serial No. 09/779,461

filed February 9, 2001

(if applicable) and amended on _____

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Prior Foreign Application(s)

Priority Claimed

(Number) (Country) (Day/Month/Year Filed)

☐ Yes ☐ No

(Number) (Country) (Day/Month/Year Filed)

☐ Yes ☐ No

(Number) (Country) (Day/Month/Year Filed)

☐ Yes ☐ No

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Application No. _____ Filing Date _____ Application No. _____ Filing Date _____

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SEND CORRESPONDENCE TO: CUSTOMER NO. 00136

or

JACOBSON HOLMAN
PROFESSIONAL LIMITED LIABILITY COMPANY
400 SEVENTH STREET, N.W.
WASHINGTON, D.C. 20004

DIRECT TELEPHONE CALLS TO:

(please use Attorney's Docket No.) (202) 638-6666

JACOBSON HOLMAN
PROFESSIONAL LIMITED LIABILITY COMPANY

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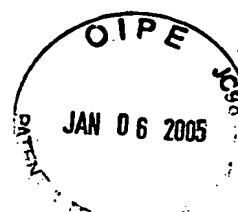
201	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
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202	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY
203	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201*	SIGNATURE OF INVENTOR 202*	SIGNATURE OF INVENTOR 203*
DATE	DATE	DATE

☐ Additional inventors are named on separately numbered sheets attached hereto.

JACOBSON HOLMAN PLLC
ADDITIONAL INVENTORS



*Inventor(s) name must include at least one unabbreviated first or middle name.

204	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY
205	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
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DECLARATION
AND POWER OF ATTORNEY
U.S.A.

FOR ATTORNEYS' USE ONLY

ATTORNEYS' DOCKET NO. *

P64765US1

JAN 06 2005

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FLUORESCENCE INTENSITY MULTIPLE DISTRIBUTIONS ANALYSIS: CONCURRENT DETERMINATION OF DIFFUSION TIMES AND MOLECULAR BRIGHTNESS

which is described and claimed in: ☐ PCT International Application No. _____ filed _____
☐ the attached specification ☒ the specification in application Serial No. 09/779,461 filed February 9, 2001
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Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

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SEND CORRESPONDENCE TO: CUSTOMER NO. 00136

or

JACOBSON HOLMAN
PROFESSIONAL LIMITED LIABILITY COMPANY
400 SEVENTH STREET, N.W.
WASHINGTON, D.C. 20004

DIRECT TELEPHONE CALLS TO:

(please use Attorney's Docket No.) (202) 638-6666

JACOBSON HOLMAN
PROFESSIONAL LIMITED LIABILITY COMPANY

*Inventor(s) name must include at least one unabbreviated first or middle name.

	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
201	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY
				ZIP CODE
202	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY
203	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY
				ZIP CODE

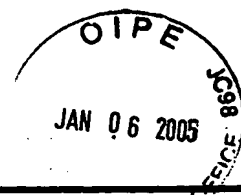
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201*	SIGNATURE OF INVENTOR 202*	SIGNATURE OF INVENTOR 203*
DATE	DATE	DATE

☐ Additional inventors are named on separately numbered sheets attached hereto.

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JACOBSON HOLMAN PLLC
ADDITIONAL INVENTORS



*Inventor(s) name must include at least one unabbreviated first or middle name.

204	FULL NAME * OF INVENTOR	FAMILY NAME Mets	GIVEN NAME Ülo	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Tallinn	STATE OR FOREIGN COUNTRY ESTONIA		COUNTRY OF CITIZENSHIP Estonian
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Õismäe tee 89-19	CITY Tallinn	STATE OR COUNTRY Estonia	ZIP CODE 11611
205	FULL NAME * OF INVENTOR	FAMILY NAME Gall	GIVEN NAME Karsten	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Lunestedt	STATE OR FOREIGN COUNTRY GERMANY		COUNTRY OF CITIZENSHIP Germany
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Schulstraße 23	CITY Lunestedt	STATE OR COUNTRY Germany	ZIP CODE 27616
206	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
207	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
208	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
209	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 204*	SIGNATURE OF INVENTOR 205*	SIGNATURE OF INVENTOR 206*
DATE	DATE December 23, 2004	DATE
SIGNATURE OF INVENTOR 207*	SIGNATURE OF INVENTOR 208	SIGNATURE OF INVENTOR 209*
DATE	DATE	DATE

Additional inventors are named on separately numbered sheets attached hereto.